

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TENNESSEE

JOSHUA VOWELL )  
Plaintiff, )  
v. ) Case No. 1:23-cv-1088  
SHELTER MUTUAL INSURANCE ) JURY DEMAND  
COMPANY and JOHN PRICE )  
Defendants. )

**MOTION TO DISMISS DEFENDANT, SHELTER MUTUAL INSURANCE COMPANY**

Comes now the Defendant, Shelter Mutual Insurance Company ("Shelter"), by and through counsel, and moves this Honorable Court to dismiss with prejudice the allegations against it as filed in Plaintiff's Complaint, pursuant to Rule 12(b)(5) and (6) of the Fed. R. Civ. P. As discussed further in the memorandum filed contemporaneously in support of this Motion, Defendant Shelter should be dismissed as a matter of law because the claims against contained in Plaintiff's Complaint fail as a matter of law.

**WHEREFORE**, Defendant, Shelter Mutual Insurance Company, respectfully requests this Court grant this motion to dismiss, with prejudice, all claims made by Plaintiff relating to the allegations of violations of Plaintiff's complaint, and for other relief that this Court deems just and proper.

Respectfully submitted,

/s E. Jason Ferrell  
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**CERTIFICATE OF SERVICE**

I hereby certify that on this 16<sup>th</sup> day of May, 2023, a true and correct copy of the foregoing was filed electronically. Notice of this filing will be sent by operation of the court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U. S. Mail. Parties may access this file through the court's electronic filing system.

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/s E. Jason Ferrell  
**E. JASON FERRELL**